

To the Members of the California State Senate:

I am returning Senate Bill 45 without my signature.

This bill would enact new penalties against contractors found by the Labor Commissioner to be in violation of the public works law with intent to defraud. This bill is not needed because provisions in existing law are already adequate to preclude unscrupulous contractors from bidding on public works jobs. The standard of what constitutes “intent to defraud” to warrant permanent debarment is also not sufficiently defined. Further, recently enacted legislation strengthens existing law by creating an enforcement program to minimize public works violations.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger